

Motion Date: December 12, 2017
Motion Time: 3:00pm

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No. 1-14-43362-nhl

DIANE LAFEMINA,

CHAPTER 7

Debtor.
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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed motion of MARK E. COHEN, ESQ., attorney for the debtor, DIANE LAFEMINA, the undersigned will cross-move before HONORABLE NANCY HERSHEY LORD, United States Bankruptcy Judge, at the Courthouse located at the Courthouse located at the U.S. Bankruptcy Court, 271 Cadman Plaza East, Courtroom 3577, Brooklyn, New York 11201 on the 12th day of December, 2017 at 3:00p.m. in the forenoon of that day, or as soon thereafter as counsel can be heard, for an Order authorizing the debtor to transfer her ownership interest in the business known as Woof & Tails Lodge Inc. to Grit & Grace Inc., together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, shall be filed with the Court and served upon the undersigned in accordance with the Local Bankruptcy Rules for the Eastern District of New York.

Dated: Forest Hills, New York
November 13, 2017

s/Mark E. Cohen, Esq.
MARK E. COHEN, ESQ. [MC-7326]
Attorney for the Chapter 7 Debtor
108-18 Queens Boulevard
4th Floor, Suite 3

Forest Hills, New York 11375
Telephone: (718) 258-1500 x210

TO: Law Office of Gregory Messer
Attorney for Camp Bow Wow Franchising, Inc.
26 Court Street, Suite 2400
Brooklyn, New York 11242

Office of the United States Trustee
Eastern District of New York
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, New York 10014

David J. Doyaga, Esq.
Chapter 7 Trustee
26 Court Street, Suite 1002
Brooklyn, New York 11242

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

File No. 1-14-43362-nhl

DIANE LAFEMINA,

Chapter 7

Debtor.

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**DEBTOR'S MOTION SEEKING AUTHORIZING DEBTOR
TO TRANSFER AN ASSET**

The debtor, DIANE LAFEMINA, by and through her attorney, Mark E. Cohen, Esq., respectfully submits this motion requesting that the Court issue an Order authorizing the debtor to transfer her ownership interest in the business known as Woof & Tails Lodge Inc. to Grit & Grace Inc., together with such other and further relief as this Court deems just and proper.

1. This Chapter 7 case was commenced by the debtor upon her filing of a Petition on June 30, 2014.

2. Upon such Chapter 7 filing, David J. Doyaga, Sr., Esq., was appointed the interim Chapter 7 Trustee (the "Trustee") in these proceeds and thereafter duly qualified to act as the permanent Trustee.

3. As provided by the debtor in her Schedule B to her Chapter 7 filing, she is the owner of 100% of the entities known as Woof & Tails Lodge Inc. and See More Paws, Inc. (together known as the "Business").

4. At the Section 341 Meeting, the Trustee ascertained that the debtor is the owner of the Business.

5. Annexed hereto as Exhibit "A" is a copy of the Stipulation of Settlement whereby the Trustee negotiated the sum of \$7,700.00 to be paid by the debtor in

exchange for the Trustee's interest in the Business. Annexed hereto as Exhibit "B" is a copy of the Order Approving Stipulation. The debtor has paid to the Trustee all sums as agreed upon in the Stipulation. It is important to note that whereas the Stipulation only refers to the entity known as See More Paws, Inc., that the business was at all times relevant to this proceeding operated by the entity known as Woof & Tails Lodge Inc. There has at all times been only one business operated by the debtor, and that is the business which was the subject of the Stipulation.

6. The debtor now desires to transfer her ownership interest in the Business to Grit & Grace Inc., a corporation organized under the laws of the State of New York, and which corporation is wholly owned by Fiori M. Lafemina, the debtor's daughter. As this Chapter 7 case remains open, the debtor is seeking the Court's authorization for the transfer of this asset. Annexed hereto as Exhibit "C" is a copy of the New York State Form CT-6 which shows that this entity is wholly owned by Fiori M. Lafemina.

7. It is respectfully submitted that the Court grant this application as this asset has been the subject of the Trustee's Stipulation and payment has been made in full.

WHEREFORE, the Chapter 7 Debtor respectfully prays for an Order granting this motion, together with such other and further relief as this Court deems just and proper.

Dated: Forest Hills, New York
November 13, 2017

Yours, etc.

MARK E. COHEN, ESQ.

By: s/Mark E. Cohen, Esq.

Mark E. Cohen, Esq. [MEC-7326]

Attorney for the Chapter 7 Debtor

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4th Floor, Suite 3

Forest Hills, New York 11375

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